

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: 2/16/05 -KL

Division: BOCC-3

Bulk Item: Yes      No   X  

Department: BOCC-3

Staff Contact Person: Mayor Pro Tem Charles "Sonny" McCoy

---

**AGENDA ITEM WORDING:**

Discussion seeking approval of the BOCC to direct appropriate County Planning staff, in coordination with the Parks and Advisory Board, to develop a plan meeting the approval of the Florida Fish and Wildlife Commission and endorsed by the BOCC designating identified parcel(s) of County Owned land located at MM 100.5 in Key Largo as a County Passive Park for the purpose of creating an additional Children's Memorial Tree Garden.

---

**ITEM BACKGROUND:**

The initial Children's Memorial Tree Garden opened over a year ago at the Plantation Tropical Preserve Park in the Village of Islamorada with (26) dedicated trees and (20) more recently approved tree sites.

---

**PREVIOUS RELEVANT BOCC ACTION:**

The Commission previously approved the creation of three (3) Children's Memorial Tree Gardens to be located in County Passive Parks.

---

**CONTRACT/AGREEMENT CHANGES:**

---

**STAFF RECOMMENDATIONS:**

---

**TOTAL COST:**     N/A    

**BUDGETED:** Yes      No     

**COST TO COUNTY:**     N/A    

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes      No   X  

**AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty      OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:**

Mayor Pro Tem Charles "Sonny" McCoy

**DOCUMENTATION:** Included   X   Not Required     

**DISPOSITION:**                                     

**AGENDA ITEM #**

Howard Gelbman  
799 Hazel Street  
Key Largo, Florida 33037  
305-451-3607  
[Keyhg@aol.com](mailto:Keyhg@aol.com)

December 27, 2004

Sonny McCoy  
Commissioner  
Monroe County

Dear Sonny;

As you know my focus for the past two years has been the creation of Childrens Memorial Tree Gardens in the Keys.

Your Commission last year approved the creation of three such Tree Gardens to be located in County Passive parks.

I have tried repeatedly to have a passive park created in Key Largo, since we do not have one.

I have made two presentations, to your commission, with the documentation, that would allow for consideration by the Florida Wildlife Commission to approve the 16 acres of County Owned Hammock land at mm 100.5 to be used as a passive park.

They have requested, an acceptable site proposal and an endorsement by the Monroe County Commission.

Dixie Spehar was highly supportive of this effort and was actively engaged in helping me pursue this goal. However it seems that since her election as Mayor her attention has been diverted. I guess because of her many other responsibilities.

What I would like to request is that you place an item on the commission agenda at the next meeting in Key Largo (Feb 05). Authorizing a staff project officer (My recommendation would be Jeff Stuncard, a planner in the Plantation office) be assigned, to develop a plan, with the assistance of the Parks and Advisory Board, that would be brought back to your Commission for endorsement to the FWC, of a passive park at this site.

I am enclosing two of my prior letters that support, the possibility of this issue.

I have several people knowledgeable in this area that have volunteered to assist in the creation of such a plan.


There are numerous Hardwood Hammock Preserve Parks, already existing in Florida. So we would not be creating a precedence.

ON A PERSONAL NOTE:

We opened our initial Childrens Memorial Tree Garden in Tavernier at the Plantation Tropical Preserve Park in the Village of Islamorada, just over a year ago. Our initial plan was for 11 dedicated trees we are already up to 26 and have had twenty more tree sites recently approved by the Village. A success that I am sure you will understand, is one that I would have hoped, would never have been needed. Many of the parents have expressed their gratitude for the opportunity to dedicate a tree.

I know, with the recent loss of your grandson, you understand the impact of losing a child. So I would appreciate the fact, if you could see fit to help make this passive park in Key Largo, a reality, so that in addition to an educational and tourist site, we will have a place to locate a Childrens Memorial Tree Garden.

Thanks



Howard Gelbman



INFO copy

**Howard Gelbman**  
799 Hazel Street  
Key Largo Florida 3307  
305.451.3607  
[keyhg@aol.com](mailto:keyhg@aol.com)

September 20, 2004

To Monroe County BOCC

RE; Possible Passive Park at mm 100.5 Key Largo

Commissioners;

After a vigorous search and sorting out of information I have determined the following.

The remaining 16 +/- acres of the hammock site at mm 100.5 in Key Largo that is left after subtracting the 4 +/- acres allotted to Key Largo Wastewater Board for a Central sewer plant is being titled back to Monroe County.

This acreage is zoned SR and under the open spaces act in the County Code qualifies for the designation of a passive park. The Original 20 +/- total acres was purchased with a FEMA Grant of approx. \$ 800,000.

I tracked the originating office of this purchase back to the Fish and Wildlife Commission in Vero Beach. Mr. Allan Webb of that office wrote and approved the documents that led to the purchase of this property. It is considered to be CARL land. The intent of the restrictions placed in the original documentation was to prevent the Wastewater Board from developing more than 2.6 acres and that the remaining portion of the property be preserved.

After talking directly with Mr. Webb and explaining that we would like to create a passive park without development only providing access by unpaved pathways, that would provide a site that could be visited by the residents, and tourists of Key Largo who do not at present have a passive park in Key Largo and also become an



educational site for school students to view and learn about native trees and plants.

He said it might possibly be approved for this purpose providing that the County Commission endorsed this use and could provide a plan to his office for review of establishing such a passive park.

We seem to have a variety of opinions from various county staffers on what can or cannot be done.

However since Mr. Webb has agreed to reviewing a request, I would appreciate your selecting a county employee who can maintain an OPEN MIND, as a project officer, to prepare a request to go to Mr. Webb with an endorsement from the BOCC to create a passive park on this 16 acres.

I do not possess the knowledge to prepare such a document but am more than willing to assist in its research and preparation.

In Key Largo the only community park that exists is the active park, behind the Shopper, shopping center. Which contains recreational programs.

It would be a shame to have this large property fronting on US-1 remain unusable.

Mr. Tim McGarry your Growth Management Director is in the process of writing a "conservation easement" for you to codify that this property can NOT be used for any purpose. I would further request you direct him to table this code change until such time as Mr. Webb makes a decision on the property use as a passive park.

Sincerely;

INFO COPY

**Howard Gelbman**  
799 Hazel Street  
Key Largo Florida 3307  
305.451.3607  
[keyhg@aol.com](mailto:keyhg@aol.com)

August 17, 2004

To; Board of Commissioners  
Monroe County

Dear Commissioners;

Key Largo lacks a passive park for the use of residents. The Key Largo Waste Water Board has returned to Monroe County Title the 18 +/- Acres of Hammock Land at mm 100.5 Key Largo which they will have no use for.

The attached flyer describes my request and rational for creating this property into a passive park.

I would like to request that the Board authorize the Parks Advisory Board to develop a plan for this property for your discussion and approval at your next meeting in Key Largo.

I have discussed this proposal with Dr. Jim Bolini the Chairman of the PAB; he is in favor of exploring this issue.

The zoning and code information in my Flyer was obtained with the assistance of Jeff Stuncard of your Planning Dept.

I also spoke with Mark Rousch of the Land Use Authority and he felt that this project is doable.

No zoning changes are required and the County already owns the property.

Thank you for your consideration on this project.

Howard Gelbman